

## Things to Know About Copyright

In the following frequently asked or assumed questions, “we” refers to all members of Girl Guides of Canada-Guides du Canada (GGC). The reference to “owner” can be the author or the company that owns the material (eg. magazine, publisher, company who commissioned work, website owner, etc.)

### **Can't we assume as members of the Girl Guides of Canada, people will let us use their written material?**

No, GGC is not exempt from copyright laws.

### **If the material has been circulated forever, can't we continue to use it?**

No, it's better to err on the safe side and attempt to track down the owner of the material to ask for permission.

We should assume the owner's consent, may have held some circulation restrictions; therefore, we need to either locate the owner or the document listing the consent criteria.

### **Everyone copies material off the website it doesn't have any restrictions does it?**

Yes, the registered owner of the website owns the material on their web pages. In Canada, the Canadian Copyright Act automatically grants copyright protection on every original work.

### **What if we have an article on how to develop and run a (eg. ceremony), can we copy the information to share it with others who want to do the same thing?**

To copy any article to share with another, we need to be responsible for how it will be used. We need to be proactive and to remember this:

***Copyright applies only to the tangible expression of an idea, not the idea itself.***

So share the idea by writing a new article using the facts to create an original work. Don't change a word or two, and don't rewrite the original work, you need to create a new original document telling others how you used the idea.

### **What if the material was created by someone within Guiding?**

Unless copyrights are shown on the document, anyone creating material while working as a volunteer for Guiding has automatically given Guiding members the copyright consent to circulate their material.

### **Can the Pipeline editor and/or the GGC Website liaison obtain copyright permission for us?**

No, it is the responsibility of any Guiding representative submitting material for publication, to obtain the copyright permission(s) and record it within the material before forwarding it onto the Pipeline or the GGC Website liaison. These considerations should also be made for Area, District and Unit websites as well.

**What if we know the material is old or anonymous? Can't this material be used freely?**

In Canada, copyright law protects work for the life of the author plus 50 years after their death. In America, it's the life of the author plus 70 years after death.

For anonymous and pseudonymous works, the duration of copyright is 95 years from publication or 120 years from creation, whichever is shorter.

**If we've obtained consent from the owner, are we responsible if our copied material gets used or circulated differently than our agreement with the owner?**

Yes, we are responsible if we've not made an effort to keep the users of our copied material aware of the copyright clearances we received.

When reproducing anything through copyright permission, make sure to name the owner of the copyright, its original source and the clearance you obtained to reprint it.

**Our newsletters are private, why should we worry about their content when it's only being circulated to other Guiding members?**

Copyright laws protect all works. As members of Guiding we need to abide by our governing laws. We must also remember, it is not us as individuals who are seen, but our organization as a whole through all that we do. There isn't any material worth breaking copyright laws for any purpose.

**What is not protected by copyright?**

- Themes
- ideas
- most titles
- names
- catch-phrases and other short-word combinations of no real substance

**What is copyright infringement?**

This refers to **unlawful use** of copyright material. Plagiarism — passing off someone else's work as your own — is a form of infringement.

**Can libraries or educational institutions make multiple copies of parts of books or articles for student use?**

No. The making of multiple copies requires the **consent** of the copyright owner. This consent may be obtained through a licensing agreement with a photocopying collective. However, the Copyright Act does allow the copying by individuals of parts of works for private study or research. Such copying should be **minimal**. This exception falls within the "fair dealing" section of the Act.

**What is "fair dealing"?**

This refers to the use or reproduction of a work for private study, research, criticism, review, or news reporting.